

REMARKS

This Amendment and Response is intended to fully respond to the Final Office Action mailed October 20, 2005. Claims 1-12 were examined in the Office Action and claims 1, and 5-12 stand rejected. Claims 2-4 were objected to. More specifically, claims 1, 5, and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Carney et al. (USPN 5,940,384), hereinafter "Carney," in view of Silverman et al. (USPN 6,324,572), hereinafter "Silverman;" claims 6 and 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Carney in view of Silverman, and further in view of Magnusson et al. (USPN 6,285,874), hereinafter "Magnusson;" and claims 7, and 10-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Carney in view of Silverman, and further in view of Magnusson and Tanaka et al. (USPN 5,335,355), hereinafter "Tanaka." Reconsideration of these rejections, as they might apply to the original and amended claims in view of these remarks, is respectfully requested.

In this Response, no claims have been added, claims 1, 3, and 4 have been amended, and claims 2, 5-12 have been canceled. Therefore, claims 1, 3, and 4 remain present for examination.

Claim Rejections – 35 U.S.C. § 103

Claims 1, 5, and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Carney in view of Silverman. Claim 1 has been amended to add the allowable material from claim 2; claim 2 has been cancelled. Therefore, per the Examiner, claim 1 is now allowable. Claims 5 and 8 have been cancelled and the rejections relating to claims 5 and 8 are now moot. Claims 3 and 4 depend from allowable claim 1, and are also allowable per the Examiner.

Claims 6 and 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Carney in view of Silverman and further in view of Magnusson. Claims 7, and 10-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Carney in view of Silverman, and further in view of Magnusson and Tanaka. Claims 6, 7, and 9-12 have been cancelled. All rejections relating to claims 6, 7, and 9-12 are now moot.

Claim Objections

Claims 2-4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 1 has been amended to add the allowable material from claim 2; claim 2 has been cancelled. Therefore, per the Examiner, claim 1 is now allowable. Claims 3 and 4 depend from allowable claim 1, and are also allowable per the Examiner.

Conclusion

This Amendment fully responds to the Final Office Action mailed on October 20, 2005. Still, that Office Action may contain arguments and rejections that are not directly addressed by this Amendment due to the fact that they are rendered moot in light of the preceding arguments in favor of patentability. Hence, failure of this Amendment to directly address an argument raised in the Office Action should not be taken as an indication that the Applicant believes the argument has merit. Furthermore, the claims of the present application may include other elements, not discussed in this Amendment, which are not shown, taught, or otherwise suggested by the art of record. Accordingly, the preceding arguments in favor of patentability are advanced without prejudice to other bases of patentability.

It is believed that no further fees are due with this Response. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.

In light of the above remarks and amendments, Applicant has taken the allowed material. It is believed that the application is now in condition for allowance and such action is respectfully requested. Should any additional issues need to be resolved, the Examiner is requested to telephone the undersigned to attempt to resolve those issues.

Respectfully submitted,

Date: November 7, 2005



A handwritten signature in black ink, appearing to read "Tadd F. Wilson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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